

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-4, 6-10, 12, 14, 16, 17, 19, 20, and 22-25 are pending in the present application, Claims 1, 8, 12, 14, 16, 19, and 20 having been amended, and Claims 22-25 having been added. Support for the amendments to Claims 1, 8, 12, 14, 16, 19, and 20, and the addition of Claims 22-25 is found, for example, in Applicant's Figs. 2, 4, and 6. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, the specification was objected to for failing to provide a proper antecedent basis for the claimed subject matter; Claims 8-10 and 16-17 were rejected under 35 U.S.C. §101; Claims 1, 8, 12, 14, and 19-20 were rejected under 35 U.S.C. §112, second paragraph, as omitting essential steps; Claim 16 was rejected under 35 U.S.C. §112, second paragraph, as omitting essential steps; Claims 1-4, 6-10, 12, 14, 16, 17, 19, and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Paradinas et al. (U.S. Patent Publication No. 2002/0116478, hereinafter Paradinas) in view of Shields et al. (U.S. Patent Publication No. 2003/0225797, hereinafter Shields) and further in view of Albertao (U.S. Patent Publication No. 2005/0120106).

With respect to the objection to the specification for not providing an antecedent basis for Claim 14, Claim 14 is amended to recite a "computer readable storage medium." A person of ordinary skill in the art would understand that the device described in the specification includes memory (see Applicants' Fig. 2).

There is no *in haec verba* requirement, and claim limitations may be supported by the specification through *express, implicit, or inherent* disclosure.¹ The present patent

¹ MPEP §2163.

specification describes the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention.²

If a skilled artisan would have understood the inventor to be in possession of the claimed invention at the time of filing, even if every nuance of the claims is not explicitly described in the specification, then the adequate description requirement is met. See, e.g., *Vas-Cath*, 935 F.2d at 1563, 19 USPQ2d at 1116; *Martin v. Johnson*, 454 F.2d 746, 751, 172 USPQ 391, 395 (CCPA 1972) (*stating "the description need not be in ipsius verbis [i.e., "in the same words"] to be sufficient"*).

Thus, the exact phrase "computer readable storage medium" does not have to appear in the specification.

Accordingly, the objection to the specification should be withdrawn.

With respect to the rejection of Claim 8 under 35 U.S.C. §101, Claim 8 is amended to recite hardware. Thus, Claim 8 (and Claims 9 and 10 dependent thereon) recite statutory subject matter.

With respect to the rejection of Claim 16 under 35 U.S.C. §101, Claim 16 is amended to recite hardware. Thus, Claim 16 (and Claim 17 dependent thereon) recite statutory subject matter.

With respect to the rejection of Claims 1, 8, 12, 14, 19, and 20 under 35 U.S.C. §112, second paragraph, these claims are amended to more clearly describe and distinctly claim the subject matter regarded as the invention. Particularly, the claims are amended to indicate that the functionality of the program addition file is realized through it being executed by a processing apparatus. Accordingly, this ground of rejection is overcome.

With respect to the rejections of independent Claims 1-4, 6-10, 12, 14, 16, 17, 19, and 20 under 35 U.S.C. § 103(a) as unpatentable over Paradinas, Shields, and Albertao, Applicant

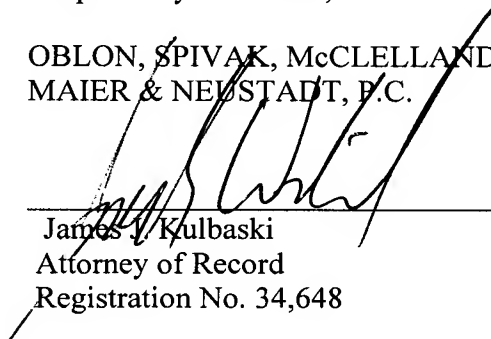
² *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555 (Fed. Cir. 1991).

notes that Albertao has a filing date of December 2, 2003. This filing date of Albertao is later than Applicant's earliest foreign priority date of March 19, 2003 (corresponding to JP 2003-076605). Therefore, to perfect priority and to overcome all rejections based on Albertao, an English translation of JP 2003-076605, filed on March 19, 2003, and a statement from the translator that the translation is accurate, is submitted herewith. Consequently, Albertao is not prior art and all rejections based on Albertao are traversed.

Consequently, in light of the above discussion, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUBADT, P.C.



James V. Kulbaski
Attorney of Record
Registration No. 34,648

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)
I:\ATTY\JW250617US\250617US_AM DUE 3-23-09.DOC

Joseph Wrkich
Registration No. 53,796